

Rec'd PCT/PTO 04 MAY 2006

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5-17-06*
FAX TRANSMISSION**DATE:** May 4, 2006**PTO IDENTIFIER:** Application Number 10/537,263**Inventor:** Kenzo TAKADA et al.**MESSAGE TO:** Ms. Barbara Campbell
US Patent and Trademark Office**FAX NUMBER:** (571) 273-9886**FROM:** BIRCH, STEWART, KOLASCH & BIRCH, LLP

Gerald M. Murphy, Jr.

PHONE: (703) 205-8000**Attorney Dkt. #:** 1422-0676PUS1**PAGES (Including Cover Sheet):** Five (5)**COMMENTS:** Dear Ms. Campbell,

Further to our telephone messages to each other in connection with the above-identified application, attached hereto is our Response. As you will recall, a Notice to Comply issued in this application; however, there are no Sequences in the application.

We appreciate your assistance with this matter. If you have any questions or need further information from us, please contact me at (703) 205-8000.

Sincerely,
Gerald M. Murphy, Jr.
Birch, Stewart, Kolasch & Birch, LLP

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 205-8000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

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#5

Docket No.: 1422-0676PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kenzo TAKADA et al.

Application No.: 10/537,263

Confirmation No.: 1459

Filed: June 1, 2005

Art Unit: 1648

For: PACKAGING CELL SYSTEM FOR EB VIRUS
VECTOR

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply dated February 24, 2006, Applicant respectfully submits that the above-identified application does not contain any Sequence Listing. In a recent exchange of telephone messages with Barbara Campbell regarding this submission, Ms. Campbell indicated that no extension fees would be required.

If the Examiner has any questions concerning this application, the Examiner is requested to contact Gerald M. Murphy, Jr., Reg. No. 28,977 at the telephone number of (703) 205-8000.

Birch, Stewart, Kolasch & Birch, LLP

GMM/LTP/bmp

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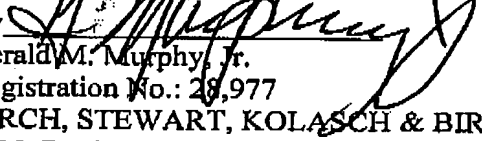
Application No.: 10/537,263

Docket No.: 1422-0676PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated:

Respectfully submitted,

By 
Gerald M. Murphy, Jr.
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
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Suite 100 East
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Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment: Copy of Notice to Comply

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/537,263	FIRST NAMED APPLICANT Kenzo Takada	ATTY. DOCKET NO. 1422-0676PUS1
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INTERNATIONAL APPLICATION NO. PCT/JP03/15419

I.A. FILING DATE 12/02/2003	PRIORITY DATE 12/02/2002
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2292
 BIRCH STEWART KOLASCH & BIRCH
 PO BOX 747
 FALLS CHURCH, VA 22040-0747

Docketed
4.24.06
Sequence Listing

CONFIRMATION NO. 1459
 371 FORMALITIES LETTER
 OC000000018092698

Date Mailed: 02/24/2006

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

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- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,263	PCT/JP03/15419	1422-0676PUS1

FORM PCT/DO/EO/922 (371 Formalities Notice)

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